



ఆంధ్రప్రదేశ్ రాజ పత్రము
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PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

DIRECTOR GENERAL, APSPF, GUNTUR.

Rc. No. APSPF / 15/A3 / Comdt. Hqrs / TPT /2016-19
O.O.No.A-47/2019.

Date: 17.04.2019.

REVISION PETITION OF Sri. Ch. HARINATH BABU, Ex HC-1022, APSPF AGAINST THE PUNISHMENT OF "COMPULSORY RETIREMENT FROM SERVICE" - CONSIDERED AND REJECTED.

- Ref :-
1. Proceedings (Final Orders) Rc.No. 15/A3/Comdt.Hqrs/APSPF/TPT/2016, O.O.No. 1705/2016, Date: 07.11.2016 of Commandant Hqrs, APSPF, Tirupathi.
 2. Appeal Petition of the Individual dated: 29.11.2016.
 3. Proceedings of Appeal petition rejected order Vide Rc.No. 15/A3/Comdt. Hqrs/APSPF/TPT/2016, O.O.No. 143/2016, Date: 27.12.2016 Of DIG, APSPF.
 4. Revision Petition of the Individual dated: 30.01.2017.

ORDER :

This is a revision petition of Sri. Ch. Harinath Babu, Ex HC-1022, APSPF (Previously worked at TTD, Tirupathi) against the punishment of "Compulsory Retirement from Service" awarded by the Commandant, APSPF, Tirupathi vide reference 1st cited as the following Article of charge framed against him was proved.

Article of Charge:

That the said Sri. Ch. Harinath Babu, Ex HC-1022, was working at TTD, Tirupathi has attended "A" Shift duty at Alipiri check point on 31.05.2016 in intoxicated condition. Consequently, he was sent for medical examination, and the Medical Officer, SVRRGG Hospital, Tirupathi after examination issued Drunkenness Certificate.

After the Enquiry Officer has proved the above Article of Charge following due procedure laid down in APCS (CC&A) rules, 1991. The applicant was awarded with the above cited punishment by the Disciplinary Authority.

Aggrieved with the above orders, the applicant has submitted an appeal petition to the DIG, APSPF with a request to set-aside the above punishment vide reference 2nd cited. Subsequently, the appellate authority i.e., the Dy. Inspector General, APSPF considered the appeal petition of the applicant and rejected as the appellate authority convinced with the punishment awarded by the disciplinary authority vide reference 3rd cited.

In the reference 4th cited, the applicant has submitted a revision petition to the Director General, APSPF, Guntur with a request to set-aside the above penalty.

The applicant stated that, the Medical Officer issued drunkenness certificate that "He is consumed alcohol, but he is not under its influence" on the basis of smell as he consumed alcohol a day before. In fact, he did not attend duties in intoxicated condition as alleged.

The following facts are revealed from the Oral Enquiry.

- 1) The applicant reported to duty having consumed alcohol.
- 2) The applicant was medically examined and the doctor issued a certificate that the applicant has consumed alcohol but he was not under the influence of alcohol at the time of examination.
- 3) The applicant came to duty at 8 AM but he was medically examined at 10.20 AM. There is a gap of 2 hours 20 minutes, which can reduce the influence of alcohol.

This clearly shows that the above contention of the applicant is not valid.

Prior to this the applicant was identified as he had been consuming alcohol habitually and addicted to alcohol. Therefore, the applicant was counseled to abstain from alcohol consumption. The applicant was given option to get de-addiction treatment at Hyderabad for free of cost. The applicant did not avail this offer. Later his family was also counseled regarding the same.

The applicant was counseled and instructed at-least not to come to attend duties after consuming alcohol as it is unsafe for the public at large, to allow him to discharge security duties with weapons in order to protect vital installations. But the applicant failed to do so and attended duties in intoxicated condition at the holy place of Tirupathi.

The APSPF is a disciplined Armed Force charged with responsibilities of safe guarding the Major Temples in Andhra Pradesh, Bank Currency Chests, State Secretariat, State Assembly, High Court of AP, Airports, Dams and Power Plants etc., on payment basis.

For each Head Constable deployed, the borrowing organizations have to pay approximately Rs. 76,210/- per month and 18% GST towards the cost of deployment of such Head Constable. Therefore, the clients of the organization expect from APSPF that, the force members will safe guard their properties round the clock and do their legitimate duties with dedication and discipline.

The disciplinary authority by awarding Compulsory Retirement from Service” has been veiy sympathetic to needs of his dependents as it will assure him eligible pension and medical benefits from Govt., throughout his life. Continuing such persons in this armed force will be detrimental to the maintenance of basic discipline in the force and not in public interest.

Therefore, I see no reason to interfere with the punishment imposed on the applicant after due enquiry as it is clearly not in the interest of public safety to entrust weapons for such constables in intoxicated condition for safe guarding of vital installations. Moreover, the punishment awarded is just and considerate.

In view of the above grounds the revision petition of Sri Ch. Harinath Babu, Ex HC-1022 is **“Considered and Rejected”**.

Acknowledge the receipt of these proceedings.

M. PRATAP,
Director General,
APSPF : Guntur.

To,
Sri. Ch. Harinath Babu, Ex HC-1022, APSPF.
(Previously worked at TTD, Tirupathi)